

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 - SOUTHWEST (CP 8183)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with this Suffolk County Legislature ("**Legislature**") resulting in a public hearing on October 12, 2010 in relation to the increase and improvement of facilities at Suffolk County Sewer District No. 3 - Southwest, the expansion of the wastewater treatment plant at Bergen Point; and

WHEREAS, pursuant to Resolution No. 880-2010, the Clerk of this Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to this Legislature; and

WHEREAS, said public hearing is to be held in Riverhead, New York in this County on October 12, 2010 at 2:30 p.m., Prevailing Time; and

WHEREAS, this Legislature has duly considered the map and plan and estimate of cost for the proposed expansion of Suffolk County Sewer District No. 3 - Southwest that was submitted to it along with evidence presented at the aforesaid public hearing; now, therefore be it

1st **RESOLVED**, by this Legislature, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature hereby finds and determines that; 1) it is in the public interest to perform the proposed Bergen Point Expansion; 2) the proposed work is adequate and appropriate, 3) the cost of such Bergen Point Expansion shall be set at a maximum of approximately \$65,000,000; and 4) the Bergen Point Expansion will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds that two other projects (sludge treatment and sewer system improvements, Capital Project Numbers 8180 and 8181, respectively) being implemented for this sewer district, when added to the project will result in an annual unsubsidized increase to the typical property of approximately \$65.18 for parcels located in either Town. However, this Legislature further funds and determines that there will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Sewer Assessment Stabilization Reserve Fund created by Suffolk County Law (Suffolk County Charter Section 2-12(d)) all residents of sewer districts in Suffolk County experience only a 3% annual increase regardless of any improvement performed in such district with this increase per typical property being \$18.64;

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer District No. 3 - Southwest will be benefited by such increase, improvement and expansion of facilities and that no benefited property has been excluded from the increase and improvement of facilities;

and be it further

2nd **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: